

REMARKS

Claim 1 has been amended to more definitely set forth the invention and obviate the rejections. This amendment is deemed not to add new matter. Claims 1-3 are in the application.

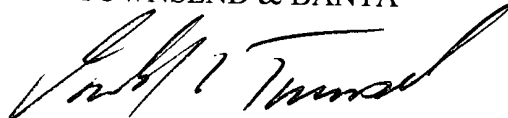
Reconsideration is respectfully requested of the rejection of claims 1-3 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended to delete the objectionable term "types". It is believed that in view of the amendment to claim 1 the rejection is now moot. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted

TOWNSEND & BANTA



Donald E. Townsend  
Reg. No. 22,069



Donald E. Townsend, Jr.  
Reg. No. 43,198

DOCKET NO. TOS-148-USA-P

TOWNSEND & BANTA  
1225 Eye Street, N.W.  
Suite 500  
Washington, D.C. 20005  
(202) 682-4727

Date: November 15, 2002

MARKED-UP VERSION OF AMENDED CLAIM 1:

1. (Amended) A lipstick composition comprising (a) 3-25 mass % of one, two or more [types of] polyethylene [wax] waxes (average molecular weight 300-700) and (b) 0.1-50 mass % of one, two or more [types of] liquid [oil] oils having one -OH group in the structure.